

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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THOMAS W. ZACH,

Plaintiff,

v.

SCOTT HETH, ROBERT SCHENCK,  
TROY HERMANS, SECURITY GUARD HANSEN,  
R.N. GRAY, SECURITY GUARD KOHLOFF,  
MS. JACKIE, WELCOME ROSE,  
BECKY RASMUSSEN, JOHN DOES NO. 1-2,  
and NURSE JANE DOE.

Defendants.

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ORDER

17-cv-693-jdp

Plaintiff Thomas W. Zach, a former Wisconsin Department of Corrections inmate appearing pro se, alleges that prison officials retaliated against him in various ways while he was incarcerated. Several of the defendants have filed a motion to dismiss Zach's claims for intentional infliction of emotional distress, contending that Zach did not file those claims within the applicable Wisconsin-law statute of limitations. *See* Dkt. 15. The court set a briefing schedule for that motion.

In the meantime, Zach has filed a letter in which he asks the court to issue a cease-and-desist order against defendants. Dkt. 18. Zach says that defendants filed their motion to dismiss in an effort to "badger, harass, threaten and intimidate" him, and calls the motion to dismiss "completely false." *Id.*

I will deny Zach's motion because he does not explain how the motion to dismiss reveals defendants' attempt to badger or harass him. Defendants have the right to defend themselves against Zach's claims, and motions to dismiss are commonplace in federal lawsuits like this one. Instead of attempting to stop defendants from filing materials in the case, Zach's next task

is to respond to the motion to dismiss by showing why he thinks that defendants are incorrect in raising a statute-of-limitations defense.

ORDER

IT IS ORDERED that plaintiff Thomas W. Zach's motion for a cease-and-desist order, Dkt. 18, is DENIED.

Entered July 15, 2019.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge